

*LEPUS DOUGLASII* GRAY, 1837 (MAMMALIA): PROPOSED ADDITION TO THE OFFICIAL INDEX AS A *NOMEN OBLITUM*. Z.N.(S.) 1696

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Article 23(b) of the International Code of Zoological Nomenclature, requires that a *nomen oblitum*, if discovered, be referred to the Commission in order that the name may be rejected or conserved in the interest of maintaining nomenclatural stability. The purpose of this notice is to bring to the attention of the International Commission on Zoological Nomenclature the species-group name *douglasii* Gray, 1837 (*Magazine of Natural History, Charlesworth, (N.S.) 1 : 586*), published in the combination "*LEPUS Douglasii*," because it is a *nomen oblitum* which if made available would lead toward nomenclatural instability. I therefore propose that the name be rejected.

2. The name *douglasii* was based on two specimens described as varieties 1 and 2. Gray (*loc. cit.*) stated that variety 1 was "rather larger" and that variety 2 had softer, blacker fur and hairier soles. The latter variety, perhaps also the former, was mentioned as "from California"; the distribution was given as North America, Texas. A question mark was placed before the phrase, "called the Marsh hare." The date of publication is 1837, and Waterhouse (*A Nat. Hist. Mammalia 2 : 112, 1848*) said Gray's publication was "for November".

3. Bachman (*J. Acad. Nat. Sci. Philadelphia 8 : 79, 1839*) listed "*LEPUS Douglasii, (Gray)*" as a synonym of his *Lepus palustris* Bachman, 1837, mentioning that his description was read May 10, 1836, whereas Gray's paper was read November, 1837. In his description of *Lepus* [= *Sylvilagus*] *bachmani* Waterhouse (*Proc. Zool. Soc. London 1838 : 103*) compared this kind with one of the rabbits named by Gray. Waterhouse referred to Gray's rabbit as "*Lep. palustris*".

4. Bachman's concept of *Sylvilagus palustris* (Bachman) was, initially, fairly accurate (*J. Acad. Nat. Sci. Philadelphia, 7 (2) : 194-199, 1837*), for he ascribed Florida and South Carolina to the geographic range of this species. He subsequently and incorrectly mentioned that Texas was inhabited by *palustris*, basing his opinion on observations of Audubon and one specimen of the two described by Gray as *douglasii* (see Bachman, 1839, *loc. cit.*; and Audubon and Bachman, *The viviparous Quadrupeds of North America 1 : 151, 1854*). *Sylvilagus palustris* (Bachman) does not occur in Texas, nor west of Alabama (Nelson, *N. Amer. Fauna 29 : 266-270, 1909*; Hall and Kelson, *The Mammals of North America 1 : 259, 1959*).

5. It is extremely doubtful that Gray's rabbits were obtained by David Douglas from as far east as Alabama, or farther. Identification of both syntypes are important because *douglasii* is a *nomen dubium*. Waterhouse (1848, *op. cit.* : 112-115, 119-122) placed variety 1 of Gray in the synonymy of *Lepus aquaticus* Bachman, 1837. He stated (p. 114) that Gray's variety 1 was from "Texas?", and, further, that Bachman had examined the specimen and

recognized it as of "his *Lep. aquaticus*". Of interest are remarks by Waterhouse: "... the greater harshness of the fur, and the tail being pure white beneath—characters which are noticed as distinguishing the *L. aquaticus* from *L. palustris* [white underside of tail is today considered diagnostic of *aquaticus*]—do not in the specimens in the British Museum, present points of distinction, the tail being coloured beneath, and the fur being somewhat less harsh in the *L. aquaticus* than in the *L. palustris*". The original description characterized both tails of the cotypes as white on the lower side, and Waterhouse's inability to distinguish between them might be interpreted as a point of resemblance. Nelson (*op. cit.*, pp. 270–272) listed *douglasii* in the synonymy of *aquaticus* with a question mark. He stated, "The exact status of *douglasii* appears to be still unsettled." Dr. G. B. Corbet, British Museum (Natural History), in his letter to me of April 6, 1965, is "quite sure" the syntypes are "*S. aquaticus*". Both had previously "been labelled *S. aquaticus*". He compared the syntypes to one specimen of *S. palustris* and three of *S. aquaticus*, and "using the key in Hall and Kelson both of the *douglasii* go straight to *S. aquaticus*". In the U.S. National Museum I examined numerous specimens of *aquaticus* and *palustris* to see if the character of white underside of tail truly distinguishes *aquaticus*. Tails are brownish or soiled grey and brown below in *palustris*. Only rarely are tails of *aquaticus* washed with pale brownish below; the holotype of *S. aquaticus littoralis* shows such a tinge. The key character of white tail in *aquaticus* is judged valid. Therefore, *douglasii* is referred to *Sylvilagus aquaticus*.

6. There is no evidence that the description of *aquaticus* appeared before that of *douglasii*. The former was read March 21, 1837, whereas the latter was read in November (Bachman, 1839, *op. cit.*, pp. 78–79). The last paper included in the 1837 volume of the *Journal of Natural Sciences of Philadelphia* was read June 27, 1837, indicating publication in July or later. Coues and Allen (*Monograph of the North American Rodentia*: 362, 1877) mention that the dates of publication of *palustris* and *douglasii* are "nearly the same". There is no evidence, to my knowledge, showing that *douglasii* is younger than *aquaticus*.

7. Perhaps *douglasii* was based upon a specimen(s) referable to a Texan subspecies of *aquaticus* known as *Sylvilagus aquaticus littoralis* Nelson, 1909, which name would be merely a junior synonym although used continuously for 56 years. Perhaps the long-used name *aquaticus* owing to priority is merely a junior synonym of the long-forgotten and problematical *douglasii*.

8. For the reasons listed above, I now request the International Commission on Zoological Nomenclature:

To place the specific name *douglasii* Gray, 1837, as published in the binomen *Lepus douglasii*, on the Official Index of Rejected and Invalid Specific Names in Zoology as a *nomen oblitum*.